#### COON HUNTING, NEW STYLE.

TOWALKA INDIANS SCORN CONFEN. TIONAL METHODS.

It Makes Little Difference to Them Whether They Kill Any Coons as Long as the Food and Firewater Hold Out-First Expedi-tion Into the Wilds of New Jersey.

The newly organized Coon Club of the Towalks Indians attempted to justify its name on Saturday night. The braves who took part in the great hunt are returning—chiefly inbagenge cars-from the happy hunting grounds at Whitehall, N. J. They have had the time of their lives, and they took it. The Towalka Indians, it must be explained,

are an offshoot of the great Tobacco tribe and there are twenty-three members. Their names are Sitting Bull, Chief Medicineman, Hunting Trouble, Big Foot, Papoose, Splinter, Hiawatha, Winged Foot, Squaw Man, Stalking Pine. Ko-ko-ko-ho (the owl), Nosa (our father). Wa-wa (wild goose), Sha-da (the pelican), Ahmeek (the beaver), Mahng (the loon), Laughing Fire Water, Wampum Man, Manfond-of-His-Dog, Stick-on-a-Horse, Minneha-ha, Howling Coyote and Spotted Tail. Their totem is a skunk rampant, coons and possums on the quarterings, with a bar sinister showing a full set of bottles, gules—at least that is what they say, and there is no American sollege of heraldry to talk back. Their creed is:

Wash daily from nose-tip to tail-tip; Drink deeply but never too deep; Bemember the night is for hunting. And forget not the day is for sleep.

On Saturday forenoon the members of the club held a ghost dance near the Christopher street ferry and drank a quantity of fizzy firewater at the expense of the members who were absent but not forgotten. Then they examined the condition of the commissariat, and finding it satisfactory—the provisions against the horrors of thirst being entirely adequatethey took the trail toward the setting sun They were prepared for a brush campaign and took no risk of being starved out. Armies have invaded countries with less supplies, but the Towaika Indians are too highly civilized to forage on the territory they cross—besides, most of them have tried New Jersey apple

Now it is one of the laws of the tribe that walking is compulsory, but the braves have no narrow prejudices against riding. They captured a smoking car at Hoboken and the fun began, though no one lost enough during the trip to make things interesting. At Whitehall they were met by Squaw Man, a local brave who has charge of the wigwam. This wigwam is one of the many that George Washington slept in during that slumberous campaign that enabled him to sleep in every house in the State of New Jersey that was standing at the time or built fifty years after. Still, it is not surprising that he slept in it, for he was a man of Iron constitution and hadn't the Towalka Coon Club to keep him awake.

It was at Whitehall that the excitement began. Cooney, the tribe cayuse, was so delighted to see his owners that he revealed his true character. He had been purchased in New York at a second-hand horse store without a sufficiently searching inquiry having been made into his past. When Waws Johnstone, the Wild Goose, decorated him with a full set of sleighbells. Cooney was so tickled that he did an act tending to prove that part of his life had been spent on the stage. He did a vaudeville turn that was simply marvellous, His high kicking surpassed anything ever seen in New Jersey and the pigeonwings he executed while handicapped by the shafts won him the applause of his owners, though it made a number of farmers, who came running from the neighboring fleids, talk about balking and similar nonsense. Finally Cooney finished his turn and took the party to the wigwam.

surn and took the party to the wigwam.

"I want the job of carrying the coons," said Ahmeek Hussey when the work for the evening was about to be apportioned.

"No you don't!" howled the Medicine Man. "No one in this crowd is to have a sincure. This remark was unintelligible to the new members of the tribe, but the initiated winked at each other gravely and shook the dice. Bigfoot Chapin was elected cook and a number of unwilling braves were elected turnspits, water carriers, and potato peelers, and things progressed famously. In about two hours when every one was getting his second hunger, lunch was announced and the ham and eggs vanished like evidence in a political investigation. Then Hunting Trouble found plenty of what he was looking for, in the shape of dish washing, assisted by Laughing Firs Water Gerew, who had come all the way from Rochester to do his little stunt. What remained of the afternoon was passed in getting on war paint in proper register and asking the cook when dinner would be ready. Sitting Buil Lynch brought out a set of quoits and gave an excellent exhibition of what The Discobolus would have looked like had the model for it weighed in the neighborhood of three hundred pounds.

Of course all this has nothing to do with coon hunting, but that is the beauty of coon hunt-

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pounds.

Of course all this has nothing to do with coon hunting, but that is the heauty of coon hunting when one goes out with the right kind of a crowd. Like Artemus Ward's lectures, coon hunting in New Jersey is mostly made up of things that have nothing whatever to do with it. The casual observer might think this was a good thing for the poor coons, but that hardly deserves a thought. Such coons as there may be in New Jersey would have nothing to complain of, even if the Towalkas devoted all their time to hunting, and none to making a historic bluff. The Towalkas, let it be understood, were not all so foolish as to hunt with too much eagerness.

By the time it was dark the question of going goon hunting became a living issue. Little groups of braves discussed it furtively and then disappeared mysteriously. Wawa Johnstone with his war paint first of all. A few, who are able to plead disabilities, gathered on the doorstep and sang songs. Some sage has remarked that people who never dare to sing anywhere eise always sing on an outing. The sage was right. But a coon club is a coon club, and something really had to be done. A number of new members were to be initiated into the mysteries, and a number of the old ones had to work off surplus energy. The local braves assured the Medicine Man that they could take a turn on the mountains that would test the wind of the beginners and vet bring test the wind of the beginners and vet bring test the wind of the beginners and vet bring braves assured the Medicine Man that they could take a turn on the mountains that would test the wind of the beginners and yet bring all hands back in time to get some of Big Foot's Weish rarebits. So, a few enthusiasts and dupes straggled off to the mountain side. But the leaders made a grave mistake before starting. They forgot to consult the dogs. There were three of these and as they were both seger and irresponsible, they promptly took charge of matters and made them interesting. They started off at a killing pace, and the simon-pure coon hunters followed. The later discovered three barbed-wire fences, a deciving ditch and a long stretch of dewy grass during the first half hour, and then sat down to we lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we lorthly discovered three barbed wire fences, a deciving the first half hour, and then sat down to we lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we have a lorthly discovered three barbed-wire fences, a deciving the first half hour, and then sat down to we have a lorthly discovered three barbed-wire fences, and the same and

ing the first half hour, and then sat down to we'll for the dogs.

Now, it is a peculiarity of the rocks in New Mow, it is a peculiarity of the rocks in New Mow, it is a peculiarity of the rocks in New Mow, it is a peculiarity of the rocks in New Mow, it is a peculiarity of the rocks in the new Mow, it is a peculiarity in the mean them is not to enjoy a thoroughly satisfying rest. However, the local braves whiled away the time by telling traditions of coon tracks that had been seen in the neighborhood and of coons that had been killed years ago. At last the dogs gave tongue about a mile up the mountain side and their misc mingled sweetly with that of the treetoads and katydids. Some time passed before the experts decided from this sound of the barking that the dogs were harking up and that their quarry was located. With new life in their years the hunters tore away toward the racket and finally came to the dogs where they were barking at a

uess it is a possum," said one of the ex-"I shouldn't wonder but it is a coon." said snother. "The tracks of one were seen along the brook, down in the hollow there, two years ago last spring."

rather think it is a skunk," said the Medihunters drew back so as not to interfere the sphere of influence if it should turn to be a skunk.
Say, Said Laughing Fire Water, "If it is a

skunk! I move that we simply leave our cards—that we make our call entirely formal."

His suggestion was allowed to pass in acornful slience while the experts investigated.

I have it, " said Hunting Trouble. "There is probably a fossil coon in that rock and the intelligent dogs have followed up a track that was probably made during the carboniferous period."

was probably made during the carbonilerous beind.

He was also scorned. But, as the experts could make nothing of it, the dogs were called off and started out again. This time they travelied about two miles before they 'barked up again. The hunters followed and found them ensured with something else that had retired to de donjon keep under a large rock. Once more the dogs were attarted out and the hunters and down on the softest rocks they could ind to await developments. They had a leantful view of a little moonlit valley, in which a fog was drifting so that it looked like a lake, but the only posite thought it suggested was a little song from an unidentified member of the party, who erooned softly:

#### If I donly minded mamma. I wouldn't be here to-night "

being acted upon, the hunters ran into another party of hunters and felt encouraged to find that there really were others. Now in New Jersey a man is known by the dogs he keeps, and the conversation between the local experts and the hunters who were in the business for their living, began with the remark by Ko-ko-ko-ho, the Owl:

"I know your dog, but I can't remember your name."

Fhillips's Hotel and Mehrten's Hotels and Pavilions and Mansch's Hotel Gone.

their living, began with the remark by Ko-ko-ko-ko-ho, the Owl:

"I know your dog, but I can't remember your name."

The hunter was proud of his dog and the conversation immediately became technical. The pedigree of all the dogs in the party, with with their various allments, was given, even unto the third or fourth generation back. Finally the men who wanted to go home tore themselves away. But luck was against them. When they had travelled about two miles and had reached a promising bit of road, the dogs were heard on the other side of a mountain. There was nothing to do but to go to them, for, with the true soon hunter, hope springs infernal and leads him into all sorts of trouble. Once more they found the dogs barking up a rock at something that refused to acknowledge that it was at home. As the moon was beginning to set they made another attempt to get next to Big Foot's Welsh rarebits. But, as usual, they did not consult the dogs. The dogs again took charge of matters and, after much howling, landed a skunk, whose oder was out of all proportion to his size. When the hunters arrived on the scene there was nothing left for them to do but hold their noses. Then they made the final start for the wigman and reached it too late for the Welsh rarebits. But they were wildly carnivorous and howled for porterhouse steak and got the best one that ever was cooked. Then the real work of the coon hunters began.

About cock crow all the coon club went to sleep and alumbered until one of the party troubled by a sporadio burst of energy, roused the whole crowd again. Big Chief Sitting Bull relied over and howled:

"How much does it cost to get out of this club? I am getting up in years and my sporting days are over."

"I'd rather ait up playing poker all night—and lose," walled Laughing Fire Water.

"I'd rather ast up playing poker all night—and lose," walled Laughing Fire Water.

"I'd rather ast up playing home as their energy returns to them. All are arreed, however, that coon hunting is great sport if a man has a good

PULPIT TRIBUTE TO VANDERBILT. Pastor Overton Declares His Life a New

and Living Gospel. "The Gospel of a Great Life, as Illustrated by Cornelius Vanderbilt," was the theme of the Rev. Daniel H. Overton, pastor of the Greene Avenue Baptist Church, Brooklyn, yesterday, Taking for his text James iii:13, "Who is wise and understanding among you? Let him show by his good life his works in meekness and

." Mr. Overton said in part: "The study of the great lives of any period or country is the study of the history of that period or country.

"Prominent among the great lives of this city has been, I believe, the life of Cornelius Van-derbilt. His life has been a new and living gospel in the world. Produced by the gospel of Christ, it in turn has produced a gospel for Christ and for Christianity and for Christian manhood in the world. His highest glory was not that he was a 'railroad king.' but that he

was one of the friends of the King of Truth. vital thing. It was not merely a cloak that he sould put on or off as occasion served, but a thing of life and work, the guiding, governing principle of life.

"I speak this word of praise not merely because he was rich and prominent, and had large sums of money to give away, but because in all his prominence and wealth he remained religious and seemed to put religion first in all his doing and giving.

"We can learn much from his business career from its beginning to its end. He was punctual, patient and persevering. But above all he was plous, not with a false or namby-pamby piety, but with a vital and manly faith.

"The greatest lesson for us to learn, the greatest thing we can say of him, is this: 'He was a Christian.' We ought ever to be grateful to the man who, in noble ways in high or low places, exemplifies the Christian graces and lives the Christian life.

"Prominent among the graces of his life was that of liberality. He gave much to many good causes, and was apparently a faithful steward of immense wealth. God grant that those who bear his name may exemplify his virtues, and carry on his work, and may we all learn lessons from the gospel of his life."

#### MR. VANDERBILT'S MEMORY,

Reference Made in Newport Churches to the

NEWPORT, R. I., Sept. 17.-There were large crowds at the churches to-day, and in nearly every service the death of Cornelius Vanderbilt was referred to. The Rev. George Whitfield Meade, formerly of the Madison Avenue Presbyterian Church, New York, and now of the Presbyterian Church here, spoke on "Immortality" and feelingly referred to the life of Mr. Vanderbilt. He said: "We sorrow not for an aucuspicuous as was who enc but for one whose life and influence has been. and is, the leaven of righteousness in the finan cial and business world and in the civic life of just before leaving this city he sent a messenger with a check for the relief of one whose home otherwise would have been lost by the foreclosure of a mortgage. Greater than his gifts, greater than his millions, was the man. Future years will give better perspective to his character, when the moral and aptritual elements of its power, its moulding and ennobing influence, will even more deeply and gratefully

The Rev. Henry Morgan Stone of Trinity Church, of which Mr. Vanderbilt was a member. also paid a tribute to his memory. The Rev. J. M. Rich of St. George's Church preached on the life of Mr. Vanderbilt, and the Rev. Alexander Mackay-Smith of Washington, who officiated at All Saints Chapel, also dwelt at some length on this subject.

was no cheap room vacant, but Mrs. Blasco The woman concluded to take a large room for the night, paid \$1, and got the key and a key to the front door. She had with her a small bundie done up in newspaper. No one saw her go out or come in again. Yesterday, toward noon. some women who live in the house heard a child crying in the room and went to investigate. The door was ajar, and they could see a baby lying on the bed. The women tapped on the door and, getting no answer, went in. They found the keys which had been given to the new tenant on a chair, and it was evident that she had taken this way of abandoning the

WOMAN'S SUSPICIOUS DEATH.

Her Husband, Who Says She Was Killed by a Fall, Arrested. Mrs. Annie Ryan, the wife of a laborer, was found dead in ber rooms at 518 West Fiftieth street, yesterday afternoon, under circum-

street, yesterday afternoon, under circumstances which led to the arrest of her husband. Timothy, on suspicion of having murdered her. Ryan same out of his rooms about 4 o'clock and told a neighbor that his wife had been killed by a fail.

Coroner Zucca examined the woman's body and found that a wound on the back of the head had caused death. Byan's two children. Rate, 10 years old, and Edward, 7, told the police that they had heard their parents quarreling, but were not in the house when their mother died. Detectives Lockwood and Conover arrested Byan. Last night the detectives were still at work on the case.

Brooklyn Plasterers Get an Eight-Hour Day. At a meeting of the Brooklyn Pinsterers' Union yesterday it was announced that the plasterers in the western district, who went on atrike last week for \$\frac{1}{2}\ a\ \text{day}\ and an eight-hour workday, had gained their demands. About 1,500 were, it was said, affected.

Mononganela Arrives at Newport. This wait was so long that a fire was built at last the owners of the dogs announced that the intelligent animals were probably out of the tring. This revived the courage of several of the party, who moved that they make a start for home. While this suggestion was NEWPORT, R. 1., Sept. 17.-The United States

Pavilions and Mansch's Hotel Gone, Eldert's Pavilion Scorehed and Home for Crippled Children Was Threstened.

Two and a half blocks of summer hotels, bathing pavilions, dancing pavilions, seaside theatres and a conglomeration of small build-ings were destroyed by fire on the ocean front at Holland's Station, Rockaway Beach, early yesterday morning. During the fire two men were badly injured by leaping from a blazing roof, while the firemen were rendered almost helpless by the bursting of rotten hose. An exciting incident of the two and half hours blaze was the carrying of one hundred and forty crippled children from St. Mary's Home for Crippled Children. In its course the fire swept from Holland's avenue along Ocean avenue and was finally brought to a stop when it had burned out half the block between Oce anus and Eldert avenue. It is estimated that the less will amount to more than \$100,000.

The barking of a dog aroused the cottagers near Phillips's hotel. Those who poked their heads out of the windows saw bright jets of flame flashing over the line of the hotels along Ocean avenue. Fire bells were set clamoring. and in a few minutes the seaside population was chasing about half dressed in a frantic over the country. These lists are open to pub-effort to put out the fire. In twenty minutes lie inspection. Unless objection is made to the after the alarm was sounded Phillips's hotel. bathing pavilion, dancing pavilion and seaside theatre were on fire from end to end. The

buildings took up a full block.

From Phillips's place the fire swept across Oceanus avenue and Grobe Mehrten's hotel and pavilions which occupied almost a full little more to the south, and the flames from Mehrten's place were carried across Bayview avenue and Philip Mansch's hotel and buildings which covered about half a block took pavilion and the building adjoining Eldert's place is the Home for Orippled Children.

It was at Eldert's pavilion that the firemen made a stand. While the pavilion was scorohed and charred the fire was held at bay, and the Home was saved. But while the firemen stationed at Eldert's pavilion were having a hard fight, another set of firemen stationed at the rear of the burning buildings were having a lively battle to prevent the flames from eaching the cottages that extend along the avenues leading to the railroad depot.

During the height of the fire George L. Lam bert, 37 years old, a member of Volunteer Hose No. 2, and Charles P. Frey. 43 years old, a member of Oceanus Hook and Ladder Company, were on top of a pavilion at Phillip's place when the whole structure beneath them auddenly ignited. A rush of flame and smoke shot up through the roof and both men either fell or jumped off the roof to the board walk, a distance of about twensy feet. Lambert was picked up unconscious and taken to his hotel in the Boulevard at Hollands avenue. He received a compound fracture of the right elbow, had his head badly out and it is feared that he has sustained serious internal injuries. Frey injured his right knee and left wrist and was otherwise hurt. He is also a hotel keeper and was taken to his place in Hollands avenue. Police Sergeant James M. Wheelwright hustled the reserves from the sub-precinct at Rockaway Beach to the scene of the fire while be sent word to Far Rockaway for help and Chief Charles Haffner with several Far Rocka-way companies responded. When the fire threatened the Home for Orippled Children. Sister Delrosa, who has charge of the aroused the children and when was given to clear the buildword ing, the children were all about ready to leave. It was necessary to carry out each child. Honeck's Hotel on the Boulevard was thrown open and all the children were removed there until after the fire when they were taken back Although Rockaway Beach is included within the limits of Greater New York, all the fire protection it gets is from the volunteer

companies. The buildings destroyed all belonged to the Holland estate save that occupied by Phillip Mansch, which was owned by Annie Smith of Rockaway Beach. Phillips and Mehrlens each estimate their loss at about \$15,000, while Mansch's loss is said to be between \$8,000 and \$10,000, The loss on the buildings will amount to something over \$50,000. A piano was about the only article of value that was saved. Thousands of sightseers visited the

BRINDLE PUP ON A RAMPAGE. He Bites Four Persons, Including a Police-

man, Before He Is Killed. PHILADELPHIA, Sept. 17 .- A brindle buil dog. the property of Archie Campbell, which was being trained for a fight, broke his chain this afternoon and escaped from the yard. He ran howling along South street, and at Twentysixth attacked Francis Elliott, aged 5 years, biting him in two places on the leg. The child's orles attracted a crowd. The dog next bit William Conboy, aged 8 years, tearing a piece out of his leg. Several men struck at him with sticks, but he escaped and ran into the house of John Adams, 429 South Taney street. There he grabbed ida Adams, threw her on the floor and was biting her leg when policeman Winfield Ferguson attacked him with his club. The dog left the girl and jumped upon the policeman who tripped and fell as the dog fastened his teeth in his thigh.

Ferguson fought the dog off and the dog ran into the street. There he was stopped by policeman Moore who shot and killed him.

The injuries of those who were bitten were dressed at the Polyclinic hospital. Miss Adams was the most seriously hurt. sixth attacked Francis Elliott, aged 5 years

NEWPORT SOCIAL LIFE.

Prince Cantacuzene's Skill with an Automobile-Entertainments in His Honor. NEWPORT. R. L. Sept. 17.-Prince Cantagn. zene, who is to wed Miss Julia Dent Grant, is becoming quite an adept in the art of handling an automobile and this afternoon ran one around the Ocean Drive with Miss Grant as a around the Ocean Drive with alies Grant as a companion. This afternoon the young couple were the guests of Mrs. John Clinton Gray at a luncheon in their honor, and to-night, with a large party, were entertained by Mr. and Mrs. James Hude Beekman at Gooseberry Island. The guests at this dinner, besides the Frince and Miss Grant, were Miss Elsie Freuch, Miss Clapp, Miss Gray, Miss Virginia Gammell, Potter Palmer, Jr., Honore Palmer, Beekman Winthrop, Miss Madeline Goddard, Reginald Tower, George P. Messervey and Walker Andrews.

Two Men Killed By the Empire State Ex-

Hudson, N. Y., Sept. 17.-Martin Coons and his nephew, Maynard Coons, were killed on the New York Central Railroad at Stuyvesant at 7:25 o'clock last night. The two men, who were farmers, after waiting for an up-bound freight to pass, stopped out on the track and were struck and instantly killed by the Empire State Express, bound South.

Court Calendars-This Day. Appellate Division—Supreme Court—Recess.
Bupreme Court—Special Term—Fart I.—Motion
alendar called at 10:30 A. M. Part II.—Court opens
1 10:30 A. M. Ex parte matters.
Burrogate's Court—Chambers—For probate—Wills
f Leopoldine Anders, Emily Jackson, Mary Howell,
terman I. Foss, Dorcas T. Aborn, Mary Doyle, at
0:30 A. M. City Court-Special Term-Court opens at 10 A.M. Motions.

Artilleryman Miller Loses Two Fingers. Private John H. Miller of the Third Battery, N. G. N. Y., who was injured while firing a salute in honor of tiov. Hoosevelt in Prospect Park, Brooklyn, on Saturday afternoon, was more severely injured than was thought at the time. The surgeons in the Seney Hospital were compelled to amputate two fingers on the right hand yesterday. It is also found that he will lose the sight of the left eye. Tired but cannot sleep:

A glass before retiring-of

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NOTES OF LEGAL EVENTS.

A notice in the London Times of Aug. 31, illustrates the simplicity of the English system of preparing the final lists of the persons liable for jury duty. "On and after to morrow for twenty-one days," says this notice, "the lists of persons liable to serve as jurymen in England and Wales will be exhibited on the doors of the churches and chapels and other public places of worship overseers of the various parishes during September by persons who are exempt and whose name appear on the lists, their names will be returned to the clerks of the place and they will be liable to serve on special and common juries for the ensuing year. During the last week of September, the justices will hold a petty sessions to corblock were added to the configuration. When the fire reached this point the wind veered a to the overseers." In our early colonial days, the affairs of church and state were closely com mingled but to the American of to-day the post ing of a legal notice in a place of public worship seems an anachronism indeed.

One of the most notable and instructive paper read at the recent Saratoga meeting of the Amer ican Social Science Association was that by Mr. Justice Woodward of Jamestown, N. Y., entitled "The Tendency of the Courts to Sustain Special Legislation." Judge Woodward is a member of the Appellate Division of the Supreme Court for the Second (Brooklyn) Department, and by his own judicial actiop has done much toward checking the tendency discussed in the paper which he read at Saratoga. In twenty-seven States of the Union there are constitutional prohibitions against special or local legislation in regard to pertain specified subjects; but these prohibitions are sought to be avoided by the passage of bills which although general in form can really affect only a particular case or a single locality. Too often such measures have been upheld as constitutional, when they ought to have been pronounced invalid. "We may fairly say," with Judge Woodward, "that when a bill is so drawn that it cannot be made to operate outside of a given locality, when the conditions enumerated are so minute and particular that it cannot by any reasonable probability become effective outside of the district of the member moving the measure it becomes a local bill," and the courts should so declare it.

The most severe opinion in the judicial annals of Wisconsin is that which was recently handed down by the Supreme Court of that State in the proceeding to wind up the affairs of the well-known Plankinton Bank of Milwaukee. The creditors seem to have had a hard time with the assignce and in the Circuit Court, which refused to permit an examination of the assignee at their instance. and allowed five years to clapse before compelling him to make any report. Of the conduct of this officer and the lower tribunal the Supreme Court. feels constrained to say, "that the fundamental rights of the creditors seem to have been systematically ignored by the assignee and by the Court If any additional order could have been devised which would more completely and thoroughly prevent the investigation of the transactions of the assigned, we do not know what it could be." Some question was raised as to the power of the Supreme Court to right the wrong which it found had been done, but the judges declared that the arm of the Court was not nerveloss because no writ adequate for the emergency was to be discovered in the form book, and announced that a modified writ would be framed which would enable them to discharge the duties with which they had been entrusted by the people.

A man was fined \$5 in the police court at Springing his horse where it could and did gnaw a shade tree in one of the city streets. He was prosecuted under a new statute enacted by the Massachusetts Legislature this year which codifies and amends the laws of that State relative to the preservation of trees. Each town is required to elect every year a tree warden, "who shall have the care and control of all public shade trees in the town, except those in public parks or open places under the furisdiction of park commissioners, and of those also he shall take the care and control if so re quested in writing by the park commissioners. All shade trees within the limits of any public way are declared to be shade trees; and no such tree can lawfully be cut down in the residential portion of a town, except after a hearing before the ree warden upon the question of its proposed removal. Whoever negligently suffers a horse or other beast driven by or for him to break down, injure or destroy a shade or ornamental tree in a public way or place is liable to forfeit not less than \$5,nor more than \$100. Although gnawing is not specified in the statute, the Springfield magistrate sensibly held that it was a very common and destructive mode of injury to shade trees.

In a suit by the Boston Insurance Company against the Globe Fire Insurance Company and the Insurance Company of the State of New York. the Supreme Judicial Court of Massachusetts has recently rendered a decision in favor of the plaintiff, upholding the validity of certain important contracts of re-insurance. These were open policies whereby the defendant companies insured the plaintiff company against loss upon risks which it had already taken and also against such marine risks as the plaintiff company might thereafter assume during the period of the contract of reinsurance. The Superior Court held that the policies were bad, because the plaintiff at the time they were issued had no insurable interest in respect to the marine risks which were to be taken in the future. The Supreme Court thinks otherwise, declaring that it is not necessary in all cases that there should be an insurable interest at the time when the policy issues in the property on which insurance is desired. "We do not see," say the Judges, "why there may not be a valid contract of indemnity in regard to such risks by one insurance company with another, which shall attach as the risks are taken by the original insurer." Otherwise re-insurance would be impossible, except as applied to pre-existing risks.

In the re-insurance cases, the Massachusetts Supreme Court enforces the liability of two New York corporations. Another interesting question of insurance law arising between Massachusetts and New York parties was determined by the Appellate Division of our Supreme Court in this departnent in the case of the Western Massachusetts Mutual Fire Insurance Company against Hilton, reported in the pamphlet number of the combined official series of Law Reports for Aug. 26, 1899. The plaintiff corporation was not authorized to do business in the State of New York. Nevertheless t issued at Springfield, Mass., a policy insuring a stock of dry goods in the Stewart building at Broadway and Tenth street in this city against loss or damage by fire. This contract was valid in Massachusetts where it was made and where it was to be performed; but the question arose whether the effect of our insurance law was to render it nonenforceable in the courts of this State. The Appellate Division, speaking through Mr. Justice Ingraham, holds that the Legislature of New York cannot restrain the making of an insurance contract outside the territorial limits of New York, and that the insurance law would be repugnant to the Federal Constitution if it attempted to do any-

### Larger Returns tell

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Cemple Court Hunex, 119 Massau St. contract valid in the place where it was made, and

not shown to have been made with any intent to evade our laws.

The recently reported Special Term case of Buchanan against Buchanan holds that a widow cannot maintain a replevin suit to secure posses sion of the corpse of her deceased husband, as against his brother who has caused the body to be decently buried. "Her right of custody," says Mr. Justice Bischoff, "so far as there may be a personal right, exists while the corpse remains in her possession awaiting her timely exercise of choice among places of burial, and the personal right depends upon a personal duty to bury the corpse," but when she has never had possession of the body or claimed any right in reference to it until after burial, her legal interest in it must be deemed to have coased. Judge Bischoff intimates that no person has a legal right to the possession of a corpse because of relationship in the abstract. In the case before him, the widow had been separated from her husband nine years and he was paying her alimony at the time of his death.

BECTOR'S SALARY IN ARREAR.

He Reminds the Parish of the Redeemer of the Fact and Offers Some Advice. The Rev. William Everett Johnson, rector of the Episcopal Church of the Redeemer in West 136th street, has not received his salary for the months of June, July and August. He

calls attention to that fact in the September number of the Advent, the parish paper, of which he is the editor. The rector says: "At the present writing I have received no salary for June. July or August. Let it be understood that I am not uttering this in the way of complaint at all. It is just as much my fault as it is yours. I am just making the confession for us all. This failure is not due to any poverty on the part of the parish, as the books for last year plainly show. During that year we not only paid all of the regular expenses of the church, but spent considerable in repairs and

added to the sinking fund." The present Church of the Redeemer on West 136th street is the result of the consolidation. about a year and a half ago of the old Church of the Redsemer at Park avenue and East Eighty-second street and the Church of the Holy Nativity in Harlem. Referring to this consolidation, the Rev. Mr. Johnson continues:

"There has been times in the history of each of the consolidating parishes when salaries were not paid because t'.ose parishes were not able to pay them. But in the present parish we now have really enough due from pew rents and pledges to square up the whole summer account. So far as the arrearage stands to me venience than that of securing a loan, and I know that the debt to me is perfectly sure. The question I wish to put to you is this: What right have we as a parish to be so living from hand to mouth that we cannot pay expenses when there is a shrinkage in the income for two or three months? We are perfectly able to keep a balance of several hundred dollars at

least in the bank. "It is now my fixed purpose to establish a regular and complete business order in the affairs of this parish. I appeal to you to sustain me in that effort. It may cost you some thing and it may cost me something. I, for my part, am sick and tired of dragging along in such manner and believe that you must be also. I know that every one of you will look with satisfaction upon my position; will you add to that look an earnest desire and determined effort to establish this new order of

When asked about his communication last night Mr. Johnson said that it was not intended as a dunning appeal, but was merely to wake his people up to the necessity of doing business in a business-like way

"Already," he said, "I have received several notes from parishoners commending me for taking this action, and assuring me of their assistance in bringing about a better state of affairs. We have got money enough in our church. Its affairs must be managed a little differently, that's all."

#### SUSPECTED THE WIFE.

But Found She Told the Truth.

"I have been a user of coffee for many years. Three years ago my health failed, and in spite of the best medical aid, the appetite failed and I steadily lost strength

I was finally forced to enter the hospital here. It was here my old friend coffee and I parted company and I met my first substitute, Postum, and I must confess that the way it was served. it was anything but good, but leaving off regular coffee and using Postum, even weak Postum as it was, brought me around.

In five months I left the hospital and returned home, with the old longing for a cup of Mocha and Java. I found absence my good wife had started to using Postum, and coffee was a stranger on the table. "Try this," she said, "if you do not like it I will give you coffee." I did so, but with an anticipated bad opinion. "Why, that is coffee, is it not?" I said after the first swallow, and not until after I had seen the package and examined its contents, was I fully satisfied I was drinking Postum.

The difference was simply in the making. Since that time, Postum has been in daily use at our table, and to it I attribute my present good appetite and marked absence of the bad features of my illness which I now directly trace, in a great measure, to the use of coffee.

I consider that one of the strongest merits of Postum is that my young children drink it daily and are perfect pic-tures of health, and show none of the thing of the sort. The court, furthermore, is un-able to find any legal declaration or public policy I allowed them coffee." L. E. Hamforbidding our tribunals from enforcing such a mond, 73 Irving St., Detroit Mich.—Adv. Infteen years, although she was a member of

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MUBIC AND MUBICIANS.

Herein Daroice is to sing in Berlin next nonth with an Italian company that will be heard at the Royal Opera House. The entire organization will be brought from Italy in order that the audience may not be disturbed by the sound of two languages on the stage. Signor de Marchi is to appear with her. Cop-pel's one-act play, "Le Pater," acted here by Ada Rehan as "The Prayer," has lately been made into an opera by an Italian composer. Pietro Mascagni is going to take his 9-yearold son as a violinist in the orchestra with which he will make a trip through Europe next winter. Mascagni has already completed the score of "The Masks," which Luigi Illica made from one of Goldon's comedies. The masks are the which Luigi Hilea made from one of Goldon's comedies. The masks are the figures of Italian comedy, Harlequin, Columbine, Pantaione, Bosaura, Florindo and the others. The composer has played much of the music to his friends in Milan and Rome, and the customary advance praises has already been heard. Harlequin appears as a serrant of the hero in love with Rosaura. Her lather is on his side. She is in love with Florindo and Harlequin aids her suit. All these fantastic characters are treated in the spirit of pantomime, until the lovers are finally united. If the devices do not appear childish, the novelty of the subject may be interesting. It will certainly be a relief from the morbid subjects so popular now with Italian composers. The work is in a prologue and three acts. Some attempt will be made to give the music the roccoo character of the period in which Goldoni wrote the comedy. Another curious musical work just given in Rome for the first time is called "The Wedding of Psyche." From the name of a famous villa on Lake Como, which contains a statue of Cupid and Psyche.

The story deals with the love of Rophael for a model posing as Gulalea. Maria Biblina, who loves him, sees that she has lost her power over him and poisons her rival. The composer wrote in the most conventional Italian style and failed to make much impression on the critics. Maurice Mathecinck has written two librettoes. One is "Sœur Beatrice" and the other "Ariane et Barbebleu." Paul Dukas has written the music to the latter.

Beatrice" and the other "Ariane et Barbebelu." Paul Dukas has written the music to the latter.

Many of the Covent Garden costumes are to be sold, not because all the operas for which they were used have been dropped from the repertoire, but in order to clear the way for at mew supply. Their departure is not wholly regretted, judging from the remarks of Peroy Betts, who mentions the subject in these remains the subject in these remains the subject in these remains the fifther of the surplus dresses and costumes of fifteen Covent Garden operas. 'Il Trovatore,' Lucia' and similar works we can, perhaps, spare without a pans; but the mis-en-scene for 'Don Giovanni' and 'The Magio Flute' is, it is to be hoped, only to be disposed of in order to make way for better and modern material ordered during Mr. Maurice Grau's recent visit to the Mozart Festival at Munich. The 'Lohengin' stock is for sale, so that weekall nolonger enjoy the laughable spectacle of the swan, 'dat' old goose,' as Costa called it, sailing away from instead of toward King Henry's encampment on the Schelt, while the chorus express their surprise by turning their backs on the bird. Siegfried's dragon, that marvellous mythological bash, whose teeth invariably drop out on the approach of the hero, is, unfortunately, not have allowed in particular field of sing-ting the laught and particular field of sing-ting the major that particular field of sing-ting the major that particular field of sing-ting the major and the first in that particular field of sing-ting the major that particular field of sing-ting the maj the approach of the hero, is, unfortunately, not for sale: but the dresses and costumes are catalogued of 'Carmen,' 'Tannhauser,' 'Orfeo,' 'Les Huguenots,' 'Alda,' 'Traviata,' 'Faust, 'Le Prophète.' 'Romeo et Juliette' and 'Die Meistersinger.' Some of these operas, perhaps, are played out, but others, it is hoped, are only to be re-dressed." Mme. Melba is to give a concert in London in November and then start on a tour through the British provinces. She will sing in coucert during February and March in Russia ........................ and will not appear in opera there. Clara Butt, the English contralto, who will come to this country next winter, is a pupil of Etelka Gerster and Bouhy. She is young and is said to be a beauty. Vienna is to have a new mu-

new operas were given. Of composers Richard Wagner was the first with 51. Twenty-eight German composers were represented by 55 works, 9 French composers by 11, and 7 Italians by 12 works. One Russian, one Czech and one Hungarian composer jurnished one work apiece. Of the French composers Massenet with "Manon" and "Werther" had most representations. Massenet is more popular in Vienna than in any city outside of Paris. His works have been sung there chiefly through the influence of Ernest Van Dyck, who is his intimate friend and first persuaded the director there to give "Worther" and some of the composer's other operas. The soloists at the Berlin Philharmonic Ochestra next year are to be Camilla Landi, Turesa Carreno, the violinist Irma Sanger-Sethe. Eugen D'Albert, Ysaye, Emil Sauer, the young violinist Friedrich Kreisler, Russent, Ernst von Dohnanyi, the Hungarian planist, and Edouard Risler, the famous French planist. A present debutant at Munich was an operatio impressario before he decided to go on the stage. He sang Sarastro in "The Magie Flute" and made a great success.

Robert kerr Colville will sing to-aight at the

Sarastro in "The Magic Flute" and made a great success.

Robert Kerr Colville will sing to-night at the Kaltenborn concert. At the Tuesday evening concert, Beethoven's Pastorni Symphony will be played in response to many requests. Mr. Colville will sing an aria from "Ernani." The attendance at these concerts has not suffered from the arrival of the cool weather. As a matter of fact, the St. Nicholas Carden is likely to be much more enjoyable when the temperature is not high. If the concerts are to be resumed next year, some changes must be made, chiefly in the direction of better ventilation. The first series of winter concerts of the coming season will be given at the Metropoli-

tan Opera House on Sunday evenings during November. They are in no way connected with the regular operatic concerts which will be re-sumed later. Mme. Emma Nevada will make her reappearance at one of these concerts. She has not been heard here for more than



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Cor. Bleecker and Wooster Sts. four years ago by Gustav Hinrichs. She sang In concert in various cities, but did not come to New York. Mme. Nevada was trained in a

to this country for several years. The Kentucky Nearly Ready for Trial. NEWPORT NEWS, Va., Sept. 17.-It is probable that the builders' trial trip of the battleship cur in the second week in October. This shim is only about I per cent, behind the Kearsarge. and if her builders' trial takes place early in October she will have her official trial in November and will go in commission in December

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